MINUTE BOOK

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MADE TO ORDER.

WEST HARDING STREET,
FETTER LANE, LONDON, E.C.

PROCEDURE AS TO PARISH MEETINGS.

Date of First Meeting.

The first parish meeting will be convened by the Overseers to be held on Tuesday, the 4th of December, 1894, whether a parish council is or is not to be elected for the parish.

BUSINESS OF FIRST MEETING
(WHERE NO PARISH COUNCIL TO BE ELECTED.)

Election of Chairman for the Year.

The meeting, which must consist of at least two parochial electors, after having appointed a chairman of the meeting should proceed to choose a chairman for the year, who must be a parochial elector. The temporary chairman should not be a candidate for the office of chairman for the year. If more than one candidate is proposed and seconded for the office, the chairman of the meeting should put separately to the meeting the names of the several candidates and take the votes by show of hands in favour only of each candidate. The chairman may vote. A candidate may vote for himself. After counting the votes, the chairman should declare to be elected that candidate who has obtained the largest number of votes. In the case of an equal division of votes the chairman of the meeting may give a second or casting vote. The decision of the chairman is final unless a poll is demanded. One parochial elector may demand a poll. It must be taken by ballot in accordance with rules to be framed by the Local Government Board.

If no poll has been demanded, the candidate elected chairman for the year should in the event of his being present at the meeting take the chair.

Other Business.

Any other business for which due notice had been given should then be proceeded with by the meeting. If there is no other business, the chairman should declare the meeting closed and leave the chair.

BUSINESS OF FIRST MEETING
(WHERE PARISH COUNCILLORS TO BE ELECTED.)

Election of Chairman.

A chairman of the meeting who must not be a candidate for election should first be appointed.

The chairman having taken the chair, it will be his duty at the meeting to receive the nominations of candidates for the office of parish councillor, to decide as to the validity of every nomination paper, and to take the votes by show of hands in favour only of each candidate. Subject to a poll being demanded he will declare the candidates elected to be parish councillors. In these proceedings he should carefully follow the directions laid down by Rules 4 to 14 of the Parish Councillors Election Order, 1894, which are as follows:—

Nomination of Candidates.

4.—(1.) Each candidate for election as a parish councillor shall be nominated in writing.

(2.) The nomination paper shall state the surname and the other name or names in full of the candidate and his place of abode and description, and whether he is qualified as a parochial elector or by residence. It shall be signed by two parochial electors of the parish, or, if the parish is divided into wards, of the ward, as proposer and seconder, and no more, and shall state their respective places of abode. It shall be in the Form set out in the notice in Form No. 1 in the First Schedule to this Order, or in a form to the like effect.

(3.) The name of more than one candidate shall not be inserted in any one nomination paper.

(4.) Any parochial elector of the parish may sign as many nomination papers as the number of parish councillors to be elected, but no more, except that if the parish is divided into wards for the election of parish councillors, a parochial elector shall not sign nomination papers for more than one ward, and shall not sign a larger number of nomination papers than the number of parish councillors to be elected for the ward.

(5.) If any parochial elector shall sign a larger number of nomination papers than the number of parish councillors to be elected for the parish or ward, such of the nomination papers signed by him as are first received by the chairman of the parish meeting, up to the number of parish councillors to be so elected, shall alone be valid.

Nomination Papers to be handed to Chairman at Meeting.

5. The chairman of the parish meeting shall ask at the meeting that nomination papers be handed in to him, and they shall be handed in accordingly. He shall number them in the order in which they are received by him; and the first valid nomination paper received by him for a candidate shall be deemed to be the nomination of that candidate.

If Chairman is a Candidate.

6. If the chairman is nominated for election and he does not forthwith withdraw his candidature, he shall call upon the meeting to elect some other person as chairman. The meeting shall forthwith proceed to elect some other person as chairman of the meeting, and as soon as such other person is elected he shall become the chairman of the meeting, and the original chairman shall vacate the chair.

Business of First Meeting where Parish Councillors to be Elected—*contd.*

Dealing with Nomination Papers by Chairman.

7.—(1.) When it shall appear to the chairman that all the nomination papers have been handed in, and not less than fifteen minutes shall have elapsed since he took the chair, he shall state to the meeting the names of the candidates in the alphabetical order of their surnames, and also their places of abode and descriptions, and the names and places of abode of their proposers and seconders. Before making such statement, the chairman shall, as regards each candidate, decide whether he has been nominated by a valid nomination paper. After such statement has been made, no other nomination papers shall be received, except as provided by Rule 9. The decision of the chairman that a nomination paper is valid, that is to say, that it has been properly filled up and signed by two parochial electors, shall be final and shall not be questioned in any proceeding whatever.

(2.) If the chairman shall decide that a nomination paper is invalid, he shall forthwith put a note on the nomination paper to this effect, stating the grounds of his decision, and shall sign such note and state the effect of it to the meeting.

Questions to Candidates.

8. After making the statement referred to in Rule 7, the chairman shall give opportunity for putting questions to such of the candidates as have been duly nominated and are present at the meeting, and for receiving explanations from them.

Withdrawal of Candidates.

9.—(1.) Before the names of the candidates are put to the meeting, or if, under Rule 10, the names are not required to be put to the meeting, before the chairman declares the names of the candidates elected, any candidate may withdraw his candidature. Any such withdrawal shall be in writing signed by the candidate, and shall be handed to the chairman; or if the candidate is present at the meeting, he may by word of mouth declare that he withdraws his candidature, and the chairman shall thereupon write "Candidature withdrawn" on the back of the nomination paper, and the candidate shall sign his name or his initials thereto. Except as aforesaid, no candidature shall be withdrawn at the meeting.

(2.) Provided that if by such withdrawals the number of candidates is reduced below the number of persons to be elected, the chairman shall, if desired by any parochial elector present at the meeting, allow a reasonable time at the meeting during which further nomination papers may be handed in to him.

(3.) If any such further nomination papers are handed in to the chairman, he shall make a statement to the meeting with regard to them, and shall decide as to their validity, as provided by Rule 7 with reference to the nomination papers first received; and if any of the candidates so nominated are decided by him to have been duly nominated, he shall give opportunity for putting questions to such of them as are present at the meeting and for receiving explanations from them. The provisions of paragraph (1) of this Rule shall also apply to such candidates.

If Number of Candidates does not exceed Number of Persons to be elected.

10. If the candidates (including those whose nominations are handed in under paragraphs (2) and (3) of Rule 9) whose nominations respectively the chairman decides to be valid, and whose respective candidatures are not withdrawn, are not more in number than the persons to be elected, such candidates shall be deemed to be duly elected, and shall be declared by the chairman to be elected.

If Number of Candidates exceeds Number of Persons to be elected.

11. If the candidates (including those whose nominations are handed in under paragraphs (2) and (3) of Rule 9) whose nominations respectively the chairman decides to be valid, and whose respective candidatures are not withdrawn, are more in number than the persons to be elected, the chairman shall put separately to the meeting the names of the several candidates in the alphabetical order of their surnames, and shall take the votes by show of hands in favour only of each candidate.

12. The chairman shall count the votes given in favour only of each candidate, and when the names of all the candidates have been put to the meeting and the votes in their favour have been taken and counted, he shall state to the meeting the number of votes given for each candidate, and that, subject to a poll being demanded, and the demand not being withdrawn, he declares to be elected the candidates (up to the total number to be elected) whom he names and who have obtained the largest number of votes.

Poll may be demanded.

13. The chairman shall then state to the meeting that a poll may be demanded at any time before the close of the meeting by any parochial elector present thereat, and shall ask whether a poll is demanded.

14.—(1.) After the chairman has made such statement as is mentioned in Rule 13, he shall allow at least ten minutes to elapse before the meeting is closed, and at any time before the close of the meeting, any parochial elector may demand that a poll shall be taken as to which of the persons whose names have been put to the meeting by the chairman shall be elected, and, subject to Rule 24, a poll shall be taken accordingly, unless the demand for a poll is withdrawn at any time before the close of the meeting.

(2.) The business of the meeting shall be completed without adjournment, and when the ten minutes or such longer time after the statement mentioned in Rule 13 as shall be allowed for a demand of a poll to be made has elapsed, and the business relating to the election has been completed, the meeting shall be closed.

SUBSEQUENT PARISH MEETINGS.

Conveners of Parish Meeting.

Where a parish has a parish council the chairman of the parish council or any two parish councillors may at any time convene a parish meeting.

In a parish not having a parish council the meeting may be convened by the chairman of the parish meeting.

Whether there is a parish council or not, any six parochial electors may at any time convene a parish meeting.

Times and Place of Meetings.

The parish meeting are required to assemble at least once in every year, on the 25th of March, or within seven days before or after that day, and the proceedings of every parish meeting must not begin before six o'clock in the evening, Greenwich mean time. Where a parish has no separate parish council, the parish meeting must assemble not less than twice a year.

Subject to these provisions, the days, times, and places for holding parish meetings will be fixed by the parish council, or, if there is no parish council, by the chairman of the parish meeting.

A parish meeting should not, where it can be avoided, be convened to meet on a bank holiday.

Vestry Room or Church.

The parish meeting of a parish without a parish council is entitled to meet in the vestry room of the parish church or in the church itself where there is no vestry room or the room is insufficiently large; but if either of the Vestries Acts, 1831 and 1850, is in force, the meeting cannot be held in the church, and if the latter Act is in force it cannot be held in the vestry room, except in case of urgency and with the previous approval of the Local Government Board.

School and other Rooms.

In a parish in which there is no suitable public room vested in the parish council or in the chairman of a parish meeting and the overseers, the parish meeting (whether there is a parish council or not) may meet free of charge at all reasonable times and after reasonable notice in any suitable room in the schoolhouse of any public elementary school receiving a parliamentary grant and in any suitable room maintained out of any local rate, but the room in either case must not be used as part of a private dwelling-house. When any such room is required, a resolution directing notice to be given to the persons having control of the room should be passed by the parish meeting. In practice it might be convenient that a standing resolution should be passed at each parish meeting empowering a committee to take the necessary steps in preparation for the next meeting.

Public Baths.

Any portion of any public baths provided under the Baths and Washhouses Acts, when not required by the Commissioners or parish council, as the case may be, may be permitted by them to be used for parish meetings.

Licensed Premises.

The parish meeting are prohibited from meeting in premises licensed for the sale of intoxicating liquor, except in cases where no other suitable room is available either free of charge or at a reasonable cost.

Notice of Meeting.

Not less than seven clear days before any parish meeting, public notice must be given specifying the time and place of the intended meeting and the business to be transacted, and signed by the chairman of the parish council or other conveners of the meeting. When the business relates to the establishment or dissolution of a parish council, or the grouping of a parish, or the adoption of any of the adoptive Acts, not less than fourteen days' notice must be given. In reckoning the seven or fourteen days, as the case may be, both the day when the notice is given and the day fixed for the meeting must be excluded.

Copies of the notice must be affixed on or near to the principal door of each church and chapel of the Church of England within the parish, and be posted in some conspicuous place or places within the parish. Notice may also be given in such other manner (if any) as appears to the persons convening the meeting desirable for giving publicity to the notice.

Adjourned Meeting.

Where a parish meeting is adjourned, no further notice of the adjourned meeting is necessary if no new business is transacted at the adjourned meeting.

Who constitute Meeting.

Only parochial electors registered in the parish or in part of the parish are entitled to attend and vote at a parish meeting held for the whole parish or part of the parish. At least two parochial electors must be present to form a parish meeting.

Chairman.

Usual Chairman.

The chairman of the parish council if a parochial elector entitled to attend, and if he is present at, a parish meeting, will be the chairman of the meeting. A parish meeting in a rural parish not having a separate parish council are required at their annual assembly to choose a chairman for the year.

Chairman of Meeting.

In the absence of the chariman of the parish council or the chairman for the year, as the case may be, the parish meeting should choose a chairman for the meeting.

Duties of Chairman.

The chairman should conduct the meeting in accordance with any standing orders which may have been made by the parish council for the regulation of the proceedings and business of the parish meeting. Where there is no parish council, the parish meeting may regulate their own proceedings and business.

Minute Book.

Minutes of the proceedings of every parish meeting must be kept in a book provided for that purpose, and should be signed by the chairman of the same or of the next ensuing meeting.

Majority of Meeting to decide Questions.

Every question to be decided by a parish meeting will, in the first instance, be decided by the *majority* of those present and voting on the question. There are some exceptions to this rule, for which see "Hadden's Handbook on the Local Government Act, 1894, p. 17."

In form of Resolutions.

Questions should be submitted to the meeting by the chairman in the form of a resolution, and he should take the numbers of those voting for and those against a resolution.

One man one vote.

Each parochial elector may, at any parish meeting, or at any poll consequent thereon, give one vote and no more on any question.

Casting Vote of Chairman.

In addition to his right to vote in the first instance as a parochial elector, the chairman will, in case of an equal division of votes, have a second or casting vote.

Decision of Chairman.

The chairman is required to announce his decision as to the result of a show of hands at a parish meeting, and that decision is to be final unless a poll is demanded.

Polls.

When Poll may be demanded.

A poll may be demanded at any time before the conclusion of a parish meeting.

Generally a poll is not to be taken unless either the chairman of the meeting assents, or the poll is demanded by either one-third of the parochial electors present, or by five of such parochial electors, whichever number is least. Where one-third of the number of the parochial electors present is less than five, that one-third may demand a poll; where five is less than one-third of the number of parochial electors present, those five electors may demand a poll. To take examples; if there are thirty parochial electors present, five may demand a poll, as being less in number than one-third of the electors present; if there are nine electors present, three may demand a poll, as being one-third of the number present, although those who form the one-third are less than five electors.

One Elector may demand Poll in certain cases.

In the case of a resolution respecting certain specified matters, a poll may be demanded by any one parochial elector namely:

(*a.*) Any application, representation, or complaint to a county council or district council;

(*b.*) The appointment of a chairman for the year or of a committee, or the delegation of any powers or duties to a committee, or the approval of the acts of a committee;

(*c.*) The appointment of an overseer, the appointment or revocation of the appointment or dismissal of an assistant overseer, or a parish officer;

(*d.*) The appointment of trustees or beneficiaries of a charity;

(*e.*) The adoption of any of the adoptive Acts;

(*f.*) The formation or dissolution of a school board;

(*g.*) The consent or refusal of consent to any act, matter, or thing which cannot by law be done without that consent;

(*h.*) The incurring of any expense or liability;

(*i.*) The place and time for the assembly of a parish meeting;

(*k.*) Any other matter prescribed by the Local Government Board.

Ballot.

A poll consequent on a parish meeting will be taken by ballot in accordance with rules to be framed under the Act by the Local Government Board.

Close of Meeting.

When the business for which public notice of the meeting was given has been disposed of, the chairman should close the meeting by leaving the chair. No other business should be transacted.

PROCEDURE AS TO PARISH COUNCILS.

FIRST MEETING OF PARISH COUNCIL.

Date of coming into Office.

The first parish council will come into office on the 13th of December, 1894, if no poll is held for the election of councillors, and on the 31st of the same month if a poll takes place. It will continue in office until 15th of April, 1896. In 1896 and subsequent years, the 15th of April will be the date of the coming into office of the parish council.

Convening of First Meeting.

It will be the duty of the chairman of the parish meeting at which the first parish councillors are nominated, or, in his default, the clerk of the guardians to convene the first meeting of the parish council.

Chairman of First Meeting.

At the first meeting of the parish council, after the parish councillors have signed declarations of acceptance of office, a chairman of the meeting should be appointed, and then the council should proceed to transact any other business of which notice has been given.

Chairman of Parish Council.

It would be convenient to elect the chairman of the parish council at the first meeting; but the temporary chairman of the meeting should not be a candidate for the office. The first chairman of the parish council will hold office until the 15th of April, 1896.

SUBSEQUENT MEETINGS OF PARISH COUNCIL.

Annual Meeting.

In every year on or within seven days after the 15th of April, the parish council must hold an annual meeting.

Other Meetings.

Three other meetings in each year must also be held.

Meetings to be public.

Every meeting is to be open to the public unless the council otherwise direct.

Conveners of Meetings.

A meeting of the parish council may at any time be convened by the chairman of the council or by any two members of the council if the chairman, upon a written requisition signed by two members, either refuses to convene a meeting or neglects to do so within seven days after the presentation of such a requisition.

Notice of Meetings.

Notice of every meeting of the parish council must be given to each member. The notice must specify the time and place of, and the business to be transacted at the meeting, and it must be signed by or on behalf of the chairman of the council or other conveners of the meeting. Three days must elapse between the day on which the notice is given and the day on which the meeting is to be held. Thus, if the day fixed for the meeting is Friday, the last day on which the notice can be given is the preceding Monday. In the case of the annual meeting, the notice must be given to every member immediately after his election. A notice may be left at or sent by post in a prepaid letter to the usual abode of a member. The letter must be posted so that in the ordinary course of post it would be delivered not later than the last day on which the notice can be given.

Place of Meeting.

Vestry Room or Church.

The parish council is entitled to meet in the vestry room of the parish church or in the church itself where there is no vestry room, or the room is insufficiently large; but if either of the Vestries Acts, 1831 and 1850, is in force, the meeting cannot be held in the church, and if the latter Act is in force it cannot be held in the vestry room, except in case of urgency and with the previous approval of the Local Government Board.

School and other Rooms.

In a parish in which there is no suitable public room vested in the parish council, the council may meet free of charge, at all reasonable times, and after reasonable notice, in any suitable room in the schoolhouse of any public elementary school receiving a parliamentary grant, and in any suitable room maintained out of any local rate, but the room in either case must not be used as part of a private dwelling-house. The parish council could direct their clerk to give the required notice.

Public Baths.

Any portion of any public baths provided under the Baths and Washhouses Acts could, when not required for the purposes of the Acts, be used as a place of meeting by the parish council.

Licensed Premises.

The parish council must not meet on premises licensed for the sale of intoxicating liquor, except in cases where no other suitable room is available, either free of charge or at a reasonable cost

Election of Chairman and of Overseers at Annual Meeting.

The first business of the annual meeting is to elect a chairman and to appoint the overseers. The chairman must either be a councillor or a person qualified to be a councillor. Unless he resigns or ceases to be qualified, or becomes disqualified, he is to continue in office until his successor is elected. A retiring chairman will preside at the annual meeting at which his successor is elected. He is himself eligible for re-election at the annual meeting, but some other member of the council should take the chair if the retiring chairman is a candidate for re-election. The first annual meeting at which an election of chairman will take place, will be in April, 1896, as the first elected chairman holds office until that date.

Vice-Chairman.

The parish council may, if they think fit, appoint one of their number to be vice-chairman, and the vice-chairman will, in the absence or during the inability of the chairman, have the powers and authority of the chairman.

Candidate may Vote.

A candidate for the office of chairman or vice-chairman may vote for himself.

Acceptance of Office by Councillors.

Every parish councillor must, at the first meeting after his election, or if the council at the first meeting so permit, then at a later meeting fixed by the council, sign, in the presence of some member of the council, a declaration that he accepts the office, and if he does not sign such a declaration his office will be void. The chairman of the parish council, if elected from outside the council, is not required to make any declaration of acceptance of office. If he is elected from the council he will make the declaration as a parish councillor. A chairman once elected continues in office until he resigns, or ceases to be qualified or becomes disqualified, or until his successor is appointed. His simple non-acceptance of office does not vacate the chairmanship.

Minute Book.

Minutes of the proceedings of every parish council and of any committee of the council must be kept in a book. The minutes must be signed at the same or the next ensuing meeting by the chairman.

Standing Orders.

Subject to the provisions of the Local Government Act, 1894, a parish council may make, vary, and revoke standing orders for the regulation of their proceedings.

Quorum.

No business can be transacted at any meeting of a Parish Council unless at least one-third of the full number of members are present, but in no case is the quorum to be less than three.

Record of Votes, &c.

The names of the members present at any meeting of the parish council, as well as of those voting on each question on which a division is taken, must be recorded, so as to show whether each vote given was for or against the the question. The voting must not be by ballot.

Majority to Decide.

Every question at a meeting of a parish council is to be decided by a majority of votes of the members present, and voting on that question. The majority required is not a majority of members present, but a majority of those who being present, vote on the question.

Casting Vote.

In case of an equal division of votes, the chairman of the meeting has a second or casting vote. The casting vote is in addition to any vote which the chairman may give as a member of the council. He has an original vote, whether elected from within or without the council, as when elected chairman he becomes a member of the council.

Execution of Instruments.

Any act of the parish council may be signified by an instrument executed at a meeting of the council and under the hands or, if an instrument under seal is required, under the hands and seals of the chairman presiding at the meeting, and two other members of the council.

Cheques.

Every cheque or other order for payment of money by a parish council must be signed by two members of the council.

Meeting to fill Casual Vacancy.

A casual vacancy among parish councillors or in the office of chairman of the council will be filled by the parish council and the council are required to be forthwith convened, as soon as a casual vacancy occurs in their body, for the purpose of filling the vacancy; but the proceedings of a parish council are not to be invalidated by any vacancy among their members or by any defect in the election or qualification of any members. The persons elected to fill casual vacancies must be qualified to be parish councillors. A quorum of the council must be formed before they proceed to the business of election.

THE

MINUTE BOOK.

From December 4th 1894

To MARCH 24TH. 1949.



LONDON:
HADDEN, BEST & Co., WEST HARDING STREET, E.C.,
Local Government Publishers

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